https://www.scholarsatrisk.org/resources/free-to-think-2024/#Germany

Germany

Despite a very slight drop in academic freedom in 2023, Germany is the only country highlighted in this report that the AFi ranks as “fully free.” Yet, scholars and students found their academic freedom and ability to engage in free expression on campus constrained in 2023-2024, particularly as it related to Israeli military action in Gaza. In addition, amid concerns over Chinese espionage, the Germany government exerted increased restrictions on scholars’ research collaboration with Chinese academics and institutions.

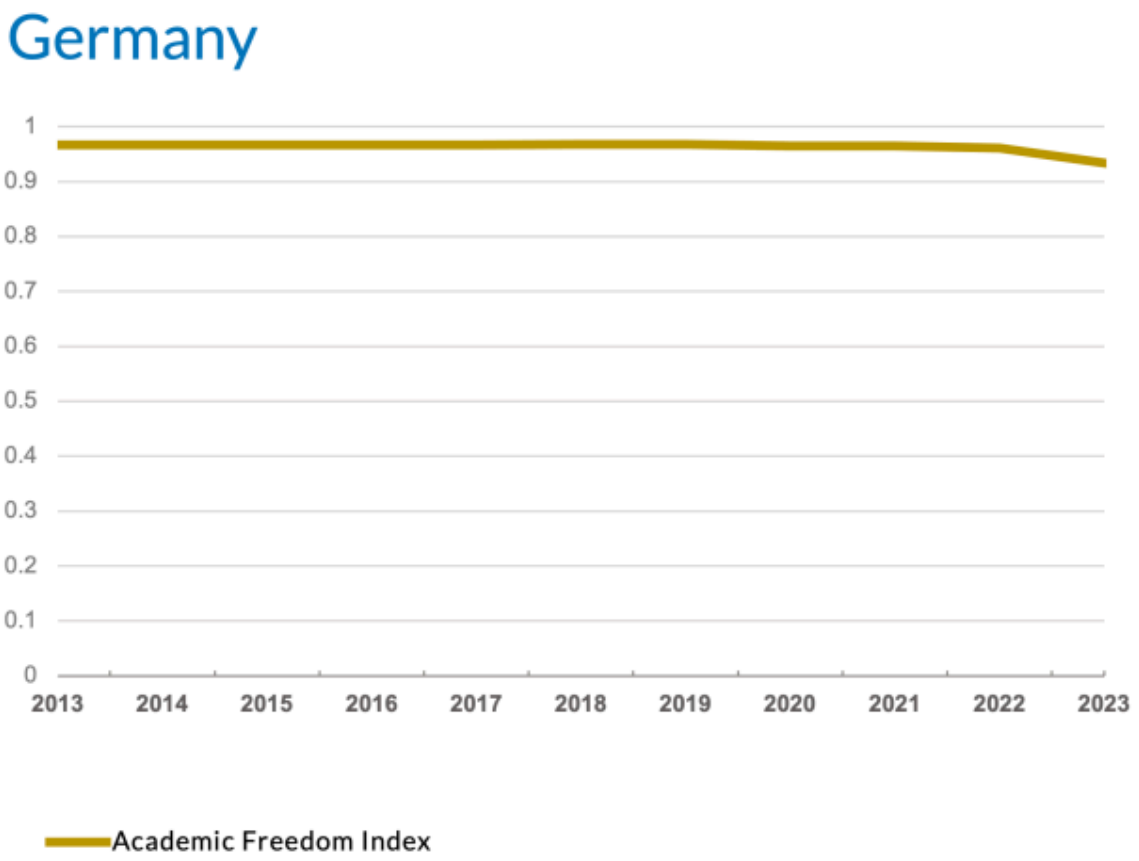

Figure 5: Germany is rated “fully free” with respect to academic freedom. In 2023, the AFi gave Germany a score of 0.93.

German higher education campuses experienced heightened emotions and tensions against the backdrop of Hamas's October 7, 2023, attack on Israel and Israel's military action in Gaza. In Germany, the historical legacy of the Holocaust has created a divisive environment in which criticism of Israeli policies and actions have been labeled "antisemitic."[253] Debated slogans, such as "from the river to the sea," which some observers understand to be a call for the annihilation of Israel and others understand as a call for Palestinian rights and self-determination not necessarily dependent on the destruction of the Israeli state, have been banned, with one protester prosecuted and fined for chanting it.[254] Accordingly, German police strongly curtailed protests against Israeli military action in Gaza by students and other members of the public.[255]

Against this backdrop, antisemitic incidents took place at German universities.[256] In early February, a student at the Freie Universität Berlin beat up a Jewish classmate, Lahav Shapira, after the two argued over the war on Gaza while out at a bar.[257] In the wake of the attack, in March 2024 the Berlin Senate introduced amendments to the Berlin University Act that imposed a graduated set of disciplinary measures on students accused of attacks or discrimination on campus. The most serious of the penalties is expulsion.[258] The amendments sparked controversy, with some observers welcoming them as necessary for preserving peaceful democracy, and others expressing concern that they would limit political expression on campus.[259]

The charge of antisemitism was used to justify the termination of professors' contracts, withdrawal of job offers, and denial of entry into the country by professors who made public statements on the Occupied Palestinian Territory (OPT). On February 7, 2024, the Max Planck Institute (MPG) for Social Anthropology announced that it was terminating the contract of Ghassan Hage, an Australian-Lebanese professor and anthropologist, in response to Hage's commentary on social media. The announcement came after a

right-wing media campaign calling Hage antisemitic for his online commentary. On October 7, the day of the Hamas attack, Hage posted to his personal blog a poem that ostensibly sought to contextualize the attack in the context of the Israeli occupation. On January 14, 2024, Hage posted on social media describing Israel's assault on Gaza as "genocide," "ethnic cleansing," and "misery, racism, inhumanity and concentration camps." MPG announced that it would "[end] its working relationship with" Hage, saying that the professor's views were "incompatible with the fundamental values of the Max Planck Society."[260]

On April 5, 2024, the University of Cologne (UoC) announced that it would withdraw its 2024 Albertus Magnus Professorship after learning that its awarded recipient, Nancy Fraser, a professor of philosophy at the New School, had signed an open letter titled "Philosophy for Palestine." The letter, dated November 2, 2023, expressed solidarity with the Palestinian people, contextualized the October 7 attack in the history of the Israeli-Palestinian conflict, condemned Israeli military action in Gaza, and called for an academic and cultural boycott of Israeli institutions. Similar to MPG, UoC explained that the letter could not "be reconciled with the statements of the University of Cologne."[261]

On April 12, 2024, German authorities denied entry to Ghassan Abu Sittah, a surgeon and the rector of the University of Glasgow, who was scheduled to speak later that day the Palästina Kongress (Palestine Congress), organized by the German nonprofit Jewish Voice for Just Peace in the Middle East. Abu Sittah planned to speak about his recent experiences working as a surgeon with the humanitarian organization Doctors Without Borders during Israel's ongoing military action in Gaza. He reported that border officials questioned him about his experience in Gaza and testimony that he had made before the International Criminal Court. They informed him that in order to ensure "the safety of the people at the conference and public order," he was banned from

entering Germany until after the conclusion of the Palästina Kongress.[262] Congress organizers invited Abu Sittah to give his talk via Zoom instead. However, German police shut down the Congress shortly after it began, apparently to prevent Abu Sittah from speaking.[263] (The following month, Abu Sittah was denied entry to France, where he was scheduled to speak to the Senate. According to French officials, Germany had requested that Abu Sittah be banned from entering all countries in the Schengen Area for a period of one year.[264])

Despite Germany's restrictions on protest and public expression critical of Israel, peaceful university-based protests against Israeli military action spread over the course of the academic year. These protests intensified in late April and early May 2024, alongside similar protests in the United States and Europe (for more details, see the section on the United States, below).[265]

Police violence against protesters at the Freie Universität (FU) Berlin sparked a scandal that resulted in calls for German Federal Education and Research Minister Bettina Stark-Watzinger to resign.[266] A protest of over 100 students from multiple Berlin universities began in the courtyard of FU around 10 a.m. on May 7, 2024. Almost immediately, the university called police to clear the encampment. By around noon, approximately 200 police officers had surrounded the protesters. While police were dispersing protesters, officers and protesters scuffled, resulting in the temporary arrests of 79 people.[267] Prosecutors opened preliminary proceedings against some protesters for trespassing, resistance, suspected incitement, and participation in an unauthorized assembly.[268] Following the incident, around 400 Berlin lecturers signed a "Statement by Teachers at Berlin Universities."[269] The document—which over 1,000 teachers had signed by the end of July 2024—stated, "Regardless of whether we agree with the specific demands of the protest camp, we stand up for our students and defend their right to peaceful protest, which also includes the occupation of university grounds." It

called on Berlin university administrators to refrain from calling the police against or criminally prosecuting their own students.[270]

German politicians, including Stark-Watzinger, criticized the letter, publicly implying that the statement and the political opinions expressed were unaligned with the German constitution and accusing those who signed it of dismissing antisemitism and of condoning the use of violence.[271] The conservative tabloid newspaper *Bild* published a front-page article that called the signatories of the letter "perpetrators" and included their pictures.[272]

A month later, in early June, an investigative media report by *NDR* uncovered documents showing that Germany's Federal Ministry of Education and Research (BMBF) had called for an investigation into whether the letter included incitement to hatred, as defined by the legal code, and had conducted a legal review to determine whether the professors who had signed the letter could be disciplined under either civil service code or criminal law and whether their funding could be cut by BMBF.[273] Following *NDR*'s exposé, the BMBF asserted that State Secretary for Education Sabine Döring was responsible for the legal review and fired her.[274] Arguing that Stark-Watzinger—and not Döring—was responsible, German academics wrote another letter decrying "an unprecedented attack on their fundamental rights" and calling for Stark-Watzinger resignation.[275] In response, the German Bundestag, Germany's national parliament, has opened an inquiry into the episode. However, Stark-Watzinger and the Free Democratic Party, of which she is a member, have reportedly sought to prevent Döring from testifying.[276]

University leaders called police in to disperse protests at several other campuses including at the University of Bremen[277] and Leipzig University,[278] after protesters occupied campus buildings. On May 22, a group of students occupied Humboldt University of Berlin's department of social sciences. They barricaded the main entrance, displayed a banner to rename the building the

“Jabalia Institute” (Jabalia is the name of a refugee camp in Gaza), and spray-painted slogans on the walls including “Killing civilians is not self-defense” and “Resistance is legitimate.” While the president of the university initially negotiated with students, she later reported that Berlin’s science minister and the city’s mayor both put pressure on her to end the protest.[279] After two days, the university called the police to evict the protesters. During the eviction, officers arrested more than 150 people, including students and university staff, charging 25 with criminal acts. According to students and journalists present, the police response was violent and brutal, sending some, including a journalist, to the hospital.[280]

Concerns over Chinese research espionage led Germany during the reporting period to take steps to restrict research collaboration with Chinese institutions, scholars, and students. On July 18, 2023, the German government released a new China strategy that included measures to withhold funding for research projects where there is the possibility of “knowledge drain” to China and to educate academics on the security risks of cooperation with Chinese academics and institutions. While concerns about Chinese espionage were not unfounded[281]—and German academics were already concerned about China’s vague laws on data protection and national security—the undefined concept of “knowledge drain” left room for overly broad application of the strategy in ways that threatened to undermine academic freedom.[282] The tension between academic freedom and research security was highlighted in May 2024 by the arrests of three researchers who had signed a contract with Chemnitz University of Technology, who were accused of having stolen information on dual-use technologies for the Chinese secret service.[283]

Concerns about Chinese espionage also extended to Chinese students. In July 2023, Friedrich Alexander University of Erlangen-Nuremberg (FAU), one of Germany’s largest universities decided to stop admitting students funded

by the China Scholarship Council (CSC) “to reduce the risk of industrial espionage.” The university pointed to the fact that students supported by the CSC must sign “loyalty pledges” to the Chinese government. In an email, FAU acknowledged, “FAU is aware that under these contracts CSC scholarship holders will be unable to fully exercise their academic freedom and freedom of expression as stipulated under German Basic Law.”[284]